

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

MCALLEN DIVISION

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Daniel Barrera Jr.
A206 886 235YOB: 1995
PRINCIPAL

United States

Case Number:

M-15-0011-M

United States District Court
Southern District of Texas
FILED

JAN 06 2015

(Name and Address of Defendant)

Clerk of Court

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about January 4, 2015 in Starr County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Jacinto Matom-Ceto, citizen and national of Guatemala and Manuel Antonio Ramirez-Gonzalez, citizen and national of El Salvador and eleven (11) other undocumented aliens for a total of thirteen (13), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Rio Grande City, Texas to the point of arrest near Rio Grande City, Texas.

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On January 4, 2015, at approximately 9:00 p.m., Omaha 192A (Air Support) observed a group of subjects cross the Rio Grande River approximately 100 yards east of the Rio Grande City Port of Entry. This information was then relayed to ground agents. Agent A. Lopez responded to the traffic. As Agent A. Lopez was making his way to the area, Omaha reported the group was making their way north through an open lot and was approaching the neighborhood that is located just directly south of the Pizza Hut Restaurant. The group proceeded to approach the south side of the neighborhood where a minivan was waiting for them. Omaha observed approximately thirteen subjects get into the van and one subject ran toward an approaching car. Both vehicles then proceeded north and out of the subdivision.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

OK to file. TRT

☒ Yes ☐ No

Signature of Complainant

Sworn to before me and subscribed in my presence,

January 6, 2015

Date

Dorina Ramos, U. S. Magistrate Judge
Name and Title of Judicial OfficerFrediberto Hernandez Senior Patrol Agent
Printed Name of Complainantat McAllen, Texas
City and State

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

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M-15-0011-M

RE: Daniel Barrera Jr.

A206 886 235

Omaha followed the minivan as it traveled out of the subdivision and turn west onto Expressway 83. The minivan was then approached by a pickup truck, which appeared to escort the minivan. Both vehicles exited Exp. 83, turning north onto San Benito Street. Both vehicles then turned onto FM 755 and the pickup truck pulled into a gas station while the minivan turned west on Eisenhower Avenue. The pickup truck then began following the minivan and both vehicle traveled west until reaching Dump Road. At this point, the minivan turned north onto Dump Road and the pickup truck did a U-turn and waited for the car. When the car arrived and all three vehicles traveled north on Dump Road which turned into Charo Blanco Road. After traveling approximately three miles north on Charco Blanco Road, the minivan stopped and dropped off the subjects into the brush. As the subjects were exiting the minivan, the car pulled up next to it. One subject exited the car and began helping the other subjects exit the minivan and climb over a fence. A total of 13 subjects exit the minivan and one subject that exited the car stayed with the group. All three vehicles then continued north on Old Charco Blanco Rd. Approximately two miles further north, Agent A. Lopez was able to catch up to the minivan and conducted a vehicle stop. The driver, was identified as Daniel BARRERA Jr., a United States Citizen. The minivan was missing the rear seats and there was a lot fresh mud all over the floor. The rear passenger side door was partially open and there was a big piece of mud preventing it from closing. Omaha reported that this was the same minivan that was observed picking up the subjects. Agents were not able to locate the other two vehicles.

Responding agents were able to find 14 undocumented aliens in the location where Omaha observed the group getting dropped off. Agents were not able to determine which one subject came from the car. All subjects to include BARRERA were transported to the Rio Grande City Border Patrol Station.

PRINCIPAL STATEMENT:

Once at the Border Patrol Station, Daniel BARRERA Jr. was advised of his Miranda Rights by Border Patrol Agents. BARRERA understood his rights and declined to provide a sworn statement without the presence of an attorney.

MATERIAL WITNESSES STATEMENTS:

Once at the Border Patrol Station, both of the material witnesses were advised of their Miranda Rights. Both stated that they understood their rights and were willing to provide a statement without the presence of an attorney.

1-Jacinto MATOM-Ceto stated a friend of his made the smuggling arrangements for him to get to the United States from Guatemala and that he was to pay 15,000 Quetzal (\$1,974 US). On January 4, 2015, his group was smuggled by raft across the Rio Grande River. Once in the U.S., they ran a short distance toward a neighborhood where a van was waiting for them. There was one man in the van and he waived and verbally instructed for the group to enter the van. He sat on the floor because the van did not have any rear seats. After driving an unknown distance, the driver instructed them to exit the van and hide in a brushy area, and to stay in the brush until he came back to pick them up. He was unable to describe the drivers face because it was too dark and he was sitting in the back of the van.

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2-Manuel Antonio RAMIREZ-Gonzalez stated that his smuggling arrangements were made by his mother in El Salvador and the he was to pay a total of \$7,000 U.S. RAMIREZ stated that he has already paid \$5,000. On January 4, 2015, his group was smuggled by raft across the Rio Grande River. Once in the U.S., one of the guides told them they would find a car waiting for them. RAMIREZ stated that they ran for approximately ten minutes until they reached a paved surface where a van was waiting with the rear passenger door open, so they all got in. They entered the van, where they sat on the floor of the passenger compartment because the van did not have any rear seats. RAMIREZ stated that they drove for about ten minutes and then the driver stated that he was being followed so he was going to drop them off. RAMIREZ stated that the van came to a stop and the driver told them all to get out. RAMIREZ stated that he was unable to see the driver's face because it was too dark.